

**SOCIAL WORK SECTION
MEETING MINUTES
DECEMBER 12, 2011**

PRESENT: Eric Alvin, George Kamps, Nicholas Smiar, Mary Jo Walsh, Daryl Wood

STAFF: Dan Williams, Executive Director; Colleen Baird, Legal Counsel; Kimberly Wood, Bureau Assistant; Sharon Henes, Paralegal; and other Department staff

GUESTS: Cindy West, Upper Iowa University; Joanne Barndt; Marc Herstand, NASW-WI Chapter

CALL TO ORDER

George Kamps, Chair, called the meeting to order at 9:09 a.m. A quorum of five (5) members was present.

APPROVAL OF AGENDA

Amendments to the Agenda:

- Item “V-11” (open session) Under the auspices of the agenda item titled “Items Received After Printing of the Agenda – 11) Legislation/Administrative Rules Matters” **ADD:** 2011 Senate Bill 280 with deliberation of this item to occur after Item “Q” under the agenda item titled “Legislation/Administrative Rule Matters”
- Item “EE-12” (closed session) Under the agenda item titled “Deliberation of Items Received After Printing of the Agenda – 12) Credentialing Matters” **ADD:**
 - Review of Application Issue for Kathryn Haupt

MOTION: Eric Alvin moved, seconded by Mary Jo Walsh, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 21, 2011

MOTION: Eric Alvin moved, seconded by Daryl Wood, to approve the minutes of September 21, 2011 as published. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2012

CHAIR

NOMINATION: Mary Jo Walsh nominated Nicholas Smiar for the Office of Chair. Nomination failed. Nicholas Smiar declined this nomination.

NOMINATION: Mary Jo Walsh nominated Eric Alvin for the Office of Chair. Nomination carried by unanimous vote.

George Kamps called for other nominations three (3) times.

Eric Alvin was elected as Chair.

VICE CHAIR

NOMINATION: Eric Alvin nominated Nicholas Smiar for the Office of Vice Chair.
Nomination carried by unanimous vote.

George Kamps called for other nominations three (3) times.

Nicholas Smiar was elected as Vice Chair.

SECRETARY

NOMINATION: Eric Alvin nominated Daryl Wood for the Office of Secretary.
Nomination carried by unanimous vote.

George Kamps called for other nominations three (3) times.

Daryl Wood was elected as Secretary.

2012 ELECTION RESULTS	
Chair	Eric Alvin
Vice Chair	Nicholas Smiar
Secretary	Daryl Wood

ADMINISTRATIVE MATTERS

Dan Williams addressed the Section regarding walking quorums and how best to avoid the inadvertent creation of Section quorum without proper public notice.

CLASS 1 HEARINGS ON DENIAL OF APPLICATIONS FOR LICENSURE

9:15 A.M. APPEARANCE: Ivaylo Hristov: Class 1 Hearing on the Denial of Application for Licensed Clinical Social Worker

Ivaylo Hristov appeared before the Section, and testified in support of his application for a Licensed Clinical Social Worker credential. Mr. Hristov provided the Section with additional documentation in support of his appeal. The Section will deliberate on this matter during closed session.

SECTION DISCUSSION OF SUPERVISORY STANDARDS

Review and Consideration of Supervisory Forms

The Section reviewed the recent revisions to the Section's draft supervisory forms. George Kamps identified his most recent revisions to the supervisory forms.

MOTION: Eric Alvin moved, seconded by Daryl Wood, to approve the supervisory forms with changes for submission to the Joint Board in January 2012 and to authorize Nicholas Smiar and George Kamps to make any other changes as needed prior to the agenda deadline for that meeting. Motion carried unanimously.

REVIEW OF REQUEST OF A POTENTIAL APPLICANT FOR SECTION DISCUSSION RELATING TO DIFFICULTIES IN OBTAINING VERIFICATION OF SUPERVISED EXPERIENCE FOR OLDER RECIPROCAL APPLICANTS SEEKING THE LICENSED CLINICAL SOCIAL WORKER (LCSW) CREDENTIAL

The Section reviewed correspondence from a potential applicant, Casey Johnson, and discussed what concessions can be made for older applicants who are experiencing difficulties in obtaining verification of supervised experience. The Section discussed what types of documentation it will accept in lieu of verification of supervised experience. The Section asked Dan Williams to respond to this potential applicant indicating that she should submit an application and provide a narrative surrounding her practice experiences.

SECTION DISCUSSION OF RECRUITMENT EFFORTS FOR SECTION MEMBER APPOINTMENTS – DARYL WOOD

The Section discussed what recruitment efforts are being pursued in terms of generating new Section member appointments. During the course of Section discussion Marc Herstand indicated that he is working to recruit individuals to apply for upcoming Section vacancies.

SECTION DISCUSSION AS TO THE POTENTIAL LOSS OF INSTITUTIONAL KNOWLEDGE UPON SECTION MEMBER DEPARTURES – ERIC ALVIN

The Section discussed the potential loss of institutional knowledge resulting from the impending departure of several of its current members. George Kamps indicated that he will work to capture his institutional knowledge of the Section's procedures in a draft document to be reviewed in January 2012. Mary Jo Walsh will review the document drafted by George Kamps and intends to provide any additional information that she believes would be pertinent.

SECTION REVIEW AND DISCUSSION OF POSSIBLE UPDATES TO THE "SOCIAL WORK SECTION FILE REVIEW MATERIALS FOLDER" – ERIC ALVIN

The Section reviewed the "Social Work Section File Review Materials Folder" in order to identify information that should be updated. The Section will continue discussion of this topic in 2012 at its January and April meetings.

**DISCUSSION AND CLARIFICATION OF LICENSED CLINICAL SOCIAL WORK
(LCSW) LICENSING PROCEDURES – ERIC ALVIN**

The Section discussed how it reviews reciprocity applications. George Kamps will work to devise a flowchart of the review criteria for reciprocal applicants. The Section will review the draft flowchart in January 2012.

**REVIEW OF PROPOSAL FOR DEVELOPMENT OF A WHITE PAPER ON CLINICAL
PRACTICE RELATING TO THE LICENSED CLINICAL
SOCIAL WORKER (LCSW) – ERIC ALVIN**

The Section reviewed a draft white paper distributed by Eric Alvin outlining clinical practice guidelines. Sharon Henes informed the Section that Executive Order 50 may require white papers to be submitted to the Governor's office for review. She indicated that any document that explains, interprets, or clarifies a rule is subject to review by the Governor under the auspices of Executive Order 50. George Kamps indicated that he will work on the draft white paper for review at a future meeting.

**DISCUSSION REGARDING EMPLOYERS PREFERRING TO HIRE LCSW WHEN
CAPSW OR CISW WOULD QUALIFY FOR DUTIES**

The Section discussed concerns surrounding a tendency for employers to recruit Licensed Clinical Social Workers (LCSWs) when Certified Advanced Practice Social Workers (CAPSWs) or Certified Independent Social Workers (CISWs) would qualify or perform the duties in a particular position. The Section discussed how to clarify the scope of practice for the CAPSWs and CISWs. Joanne Barndt provided comments to the Section indicating that employers are misled by the term "licensed". Marc Herstand, NASW-WI Chapter, informed the Section that he has written a statement regarding this issue which is posted on the NASW-WI Chapter website.

**CONSIDERATION OF REQUEST FOR ACCEPTANCE OF SOCIAL WORK
TRAINING CERTIFICATE (SWTC) METHODS COURSES TAKEN THROUGH
ONLINE MEDIA**

The Section discussed correspondence from Trista Krukowski and directed Dan Williams to respond to this correspondence indicating that the Section does not accept online core courses.

**REVIEW OF PROPOSED REVISIONS TO THE APPLICATION FORMS FOR
OBTAINING A SOCIAL WORK TRAINING CERTIFICATE (SWTC) AND
CONSIDERATION OF ADDITIONAL MODIFICATIONS**

The Section discussed a number of different application form drafts resulting from changes to MPSW 3.13, Wis. Admin. Code.

MOTION: Mary Jo Walsh moved, seconded by Eric Alvin, to authorize Eric Alvin and Nicholas Smiar to draft and/or modify, and to conduct approvals, on the Section's behalf, of the application forms to be used for obtaining a Social Work Training Certificate. Motion carried unanimously.

The Section requested a status report on the progress of the SWTC application forms at the January meeting.

LEGISLATION/ADMINISTRATIVE RULE MATTERS

1) Section Consideration of Whether to Pursue Rule Changes to MPSW 3.09 (1), Wis. Admin. Code, Relating to Application for Licensure as a Clinical Social Worker (LCSW) – Eric Alvin

The Section considered whether to pursue rule changes to MPSW 3.09 (1), Wis. Admin. Code, to clarify that the additional 1500 hours of supervised practice, which substitutes for clinical field, must be obtained while holding either the CAPSW, if in Wisconsin, or appropriate credential in the jurisdiction where the hours were completed. Colleen Baird will research this matter and bring her findings to a future meeting. The Section requested that this matter be placed on a priority list for future action.

2) Section Consideration of Whether to Pursue Rule Changes to MPSW 3.13 (4), Wis. Admin. Code, Relating to the Social Work Training Certificate (SWTC) – Eric Alvin

The Section discussed whether to pursue rulemaking to address the approval of internships completed as part of degree program, in cases where the internship went beyond the scope of practice of a SWTC. Eric Alvin indicated that the proposed SWTC disclosure application form should address the issue at hand until the Section is able to take measures to address this matter. The Section requested that this matter be placed on a priority list for future action.

3) Discussion of the Status of Amendments to MPSW 20 (Grievance Procedure) – Eric Alvin

The Section discussed whether to include a provision indicating it is a violation for a supervisor to place a trainee in a position where they are practicing outside of their scope, under the pretense of the existing scope statement amending MPSW 20, Wis. Admin. Code. Colleen Baird and Sharon Henes informed the Section that the pending scope statement which amends MPSW 20 would not allow for such a revision and that further amendments to MPSW 20 would require the Section to draft a new scope statement.

The Section was updated on the status of amendments to MPSW 20, Wis. Admin. Code.

4) 2011 Senate Bill 280

The Section reviewed and discussed the impact of 2011 Senate Bill 280. Marc Herstand, NASW-WI Chapter, provided comments to the Section in opposition to 2011 Senate Bill 280. The Section expressed concerns in response to this legislation and took the following action.

MOTION: Eric Alvin moved, seconded by Mary Jo Walsh, to authorize George Kamps to draft and send a letter, on behalf of the Section, to the Department of Safety and Professional Services, State Senator Terry Moulton, State Representative Keith Ripp, and the Chair of the Committee on Health, State Senator Leah Vukmir, expressing concerns about protection of the public and asking that the Social Work profession be taken out of the bill. The Section authorizes George Kamps or his designee to speak on behalf of the Section, at any hearings that may arise in relation to this bill. Motion carried unanimously.

**DISCUSSION ON POSSIBLE WEBSITE IMPROVEMENTS AND REVIEW OF
FREQUENTLY ASKED QUESTIONS RELATING TO THE SCOPE OF PRACTICE OF
SOCIAL WORK**

The Section deferred this matter to a future meeting due to time constraints.

**STATUS OF REIMBURSEMENT FROM MEDICAID OF
QUALIFIED TREATMENT TRAINEES**

The Section discussed correspondence from Marc Herstand, NASW-WI Chapter, relevant to the status of implementation of Medicaid reimbursements for qualified treatment trainees. The Section asked Dan Williams to contact Dan Zimmerman, Mark Hale or Sarah Coyle, Department of Health Services (DHS), regarding the status of Medicaid reimbursements for qualified treatment trainees. The Section requested that a DHS representative appear at the MPSW Joint Board meeting in January 2012.

**REPORT OF THE 2011 ASSOCIATION OF SOCIAL WORK BOARDS (ASWB)
ANNUAL MEETING – NOVEMBER 3-5, 2011 – OKLAHOMA CITY, OKLAHOMA –
NICHOLAS SMAR**

Nicholas Smiar reported to the Section regarding his attendance at the 2011 ASWB Annual Meeting. During this report the Section requested that Nicholas Smiar contact ASWB to update the names of Section members and department staff that are affiliated with the work of the Section. The Section noted that Dan Williams will make a future contact with ASWB and request an appearance before the Section. The Section indicated that it would be interested in receiving such a presentation in the fall of 2012.

SCREENING PANEL REPORT

Eric Alvin reported that the screening panel reviewed eight (8) cases, four (4) cases were opened, and four (4) cases were closed.

ITEMS RECEIVED AFTER PRINTING OF THE AGENDA

- 1) Class 1 Hearings on Denial of Applications for Licensure – *None*
- 2) Presentations of Petition(s) for Summary Suspension – *None*
- 3) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s) – *None*
- 4) Presentation of Proposed Final Decision and Order(s) – *None*
- 5) Review for Approval: Psychometric Testing – *None*
- 6) Informational Item(s) – *None*
- 7) DOE Matters – *None*
- 8) Education and Examination Matters – *None*
- 9) Credentialing Matters – *None*
- 10) Practice Questions/Issues – *None*
- 11) **Legislation/Administrative Rule Matters:**

This agenda topic was addressed as item # 4 under the agenda item titled: “Legislation/Administrative Rule Matters”.

- 12) Liaison Report(s) – *None*
- 13) **Speaking Engagement(s), Travel, or Public Relation Request(s)**

Nicholas Smiar informed the Section that he personally spoke with Bruce Pamperin, as an individual and not as a representative of the Section, to discuss UW Stout’s SWTC courses.

CONVENE TO CLOSED SESSION

MOTION: Nicholas Smiar moved, seconded by Eric Alvin, to adjourn to closed session pursuant to Wisconsin Statutes 19.85(1)(a)(b)(f) and (g), to review applications, deliberate on proposed stipulations, deliberate on administrative warnings; deliberate on hearings or appearances for denial of applications; review monitoring cases; review DOE cases, and consult with legal counsel. Roll Call Vote: Eric Alvin-yes; George Kamps-yes; Nicholas Smiar-yes; Daryl Wood-yes; and Mary Jo Walsh-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:58 p.m.

RECONVENE TO OPEN SESSION

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 4:37 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION IF VOTING IS APPROPRIATE

DELIBERATION ON MONITORING MATTERS

Robert K. LaFountain, LCSW – Consideration of Report of Psychological Evaluation

MOTION: Mary Jo Walsh moved, seconded by Eric Alvin, to defer consideration of the report of psychological evaluation for Robert K. LaFountain, LCSW until the January 2012 Section meeting. Motion carried unanimously.

APPLICATION REVIEWS

1:00 P.M. APPEARANCE (by phone): Todd Pyka – Application for Licensed Clinical Social Worker (LCSW)

Todd Pyka appeared before the Section telephonically in support of his application for a LCSW credential.

MOTION: Mary Jo Walsh moved, seconded by Nicholas Smiar, to request additional information from Todd Pyka regarding his LCSW application for review by the Section in January 2012. Motion carried unanimously.

1:25 P.M. APPEARANCE: Michael Braxton – Application for Certified Advanced Practice Social Worker (CAPSW)

Michael Braxton did not appear before the Section in support of his application for a CAPSW credential.

MOTION: Eric Alvin moved, seconded by Daryl Wood, to defer deliberation of the application of Michael Braxton for CAPSW. Motion carried unanimously.

1:50 P.M. APPEARANCE: Susanna Leggio – Application for Social Work Training Certificate (SWTC)

Susanna Leggio appeared before the Section in support of her application for a Social Work credential.

MOTION: Eric Alvin moved, seconded by Daryl Wood, to accept the work experience of Susanna Leggio for her SWTC application and to approve Ms. Leggio for certification upon successful completion of the ASWB examination. Motion carried unanimously.

2:15 P.M. APPEARANCE: Michelle Stoneburner – Application for Licensed Clinical Social Worker (LCSW)

Michelle Stoneburner appeared before the Section in support of her application for a LCSW credential.

MOTION: Eric Alvin moved, seconded by Mary Jo Walsh, to approve the clinical hours of Michelle Stoneburner accrued at Determan, LLC but to indicate that the hours accumulated at La Causa, Inc. are not approved as clinical in nature. Motion carried unanimously.

Jacquelyn Czehno – Application for Social Worker Certification (CSW)

Jim Polewski and Hannah Hoff, Division of Enforcement, appeared before the Section to discuss the application of Jacquelyn Czehno.

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, that upon successful completion of the ASWB examination, grant a limited social work certification to Jacquelyn Czehno, contingent upon acceptance of a reprimand for past social work practice without a credential. The Section requires Ms. Czehno to complete thirty (30) hours of continuing education, including boundaries and ethics, to be completed by February 28, 2013. Motion carried unanimously.

**DELIBERATION ON HEARINGS FOR APPLICATION DENIALS OR ANY
RECEIVED AFTER MAILING OF THE AGENDA**

Ivaylo Hristov: Class 1 Hearing on the Denial of Application for Licensed Clinical Social Worker

MOTION: Mary Jo Walsh moved, seconded by Eric Alvin, to grant a credential for Licensed Clinical Social Work to Ivaylo Hristov based upon the information presented at the December 12, 2011 Class One hearing before the Section. Motion carried unanimously.

**DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND
ORDERS**

Lawrence Kane, III, L.C.S.W. (07 SOC 034, 08 SOC 013, 08 SOC 037, 08 SOC 051, 09 SOC 011, 09 SOC 014, 09 SOC 020, 09 SOC 032, 09 SOC 033, 09 SOC 040, 09 SOC 048, 09 SOC 066, 10 SOC 015, 11 SOC 009 and 11 SOC 047)

MOTION: Daryl Wood moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Lawrence Kane, III, L.C.S.W. (07 SOC 034, 08 SOC 013, 08 SOC 037, 08 SOC 051, 09 SOC 011, 09 SOC 014, 09 SOC 020, 09 SOC 032, 09 SOC 033, 09 SOC 040, 09 SOC 048, 09 SOC 066, 10 SOC 015, 11 SOC 009 and 11 SOC 047). Motion carried unanimously.

Jeffry L. Miller, L.C.S.W. & C.I.S.W. (10 SOC 078)

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Jeffry L. Miller, L.C.S.W. & C.I.S.W. (10 SOC 078). Motion carried unanimously.

Susan M. Gau-Krueger, L.C.S.W. (11 SOC 044)

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order in the matter of disciplinary proceedings against Susan M. Gau-Krueger, L.C.S.W. (11 SOC 044). Motion carried unanimously.

DELIBERATION ON PROPOSED ADMINISTRATIVE WARNINGS

10 SOC 045

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to issue an administrative warning in the matter of case number 10 SOC 045. Motion carried unanimously.

11 SOC 075

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to issue an administrative warning in the matter of case number 11 SOC 075. Motion carried

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS

Final Decision and Order with Explanation of Variance In the Matter of Disciplinary Proceedings Against Denise Lynn Bailey, C.S.W., DHA Case No. DRL-10-0075, Division of Enforcement (DOE) Case # 09 SOC 026

MOTION: Nicholas Smiar moved, seconded by Daryl Wood, to adopt the Findings of Fact, Conclusions of Law, Proposed Decision and Order, with variance in the matter of disciplinary proceedings against Denise Lynn Bailey, C.S.W., Respondent, DHA Case No. DRL-10-0075, Division of Enforcement (DOE) Case # 09 SOC 026. Motion carried. Abstained: Eric Alvin

(Eric Alvin left the room for deliberation and voting in the matter of disciplinary proceedings against Denise Lynn Bailey, CSW, Respondent – Division of Hearing and Appeals (DHA) Case # DRL-10-0075, Division of Enforcement (DOE) Case # 09 SOC 026.)

DELIBERATION OF ITEMS RECEIVED AFTER PRINTING OF THE AGENDA

- 1) Application Issues and/or Reviews – *None*
- 2) Class 1 Hearings – *None*
- 3) Professional Assistance Procedure (PAP) – *None*
- 4) Monitoring Matters – *None*
- 5) Proposed Stipulations, Final Decisions and Orders – *None*
- 6) Administrative Warnings – *None*
- 7) Orders Fixing Costs/Matters Related to Costs – *None*
- 8) Proposed Final Decisions and Orders – *None*
- 9) Petitions for Summary Suspension – *None*
- 10) Petitions for Re-hearings – *None*
- 11) Examination Issues – *None*
- 12) **Credential Matters**

Review of Application Issue for Kathryn Haupt

Sharon Henes, Paralegal, addressed the Section regarding the LCSW application of Kathryn Haupt.

MOTION: Daryl Wood moved, seconded by Nicholas Smiar, to rescind the denial of the application for Kathryn Haupt and to grant a licensed clinical social worker credential upon successful passage of the national examination. Motion carried unanimously.

- 13) Appearances from Requests Received or Renewed – *None*
- 14) Motions – *None*

DIVISION OF ENFORCEMENT

1) Case Status Report

The Section reviewed a report detailing its pending enforcement cases.

2) Case Closings

10 SOC 024

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to close case 10 SOC 024 for prosecutorial discretion (P2). Motion carried unanimously.

10 SOC 067

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to close case 10 SOC 067 for insufficient evidence. Motion carried unanimously.

10 SOC 071

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to close case 10 SOC 071 for insufficient evidence. Motion carried unanimously.

11 SOC 050

MOTION: Eric Alvin moved, seconded by Nicholas Smiar, to close case 11 SOC 050 for insufficient evidence. Motion carried unanimously.

DOE SIGNATURE COLLECTION

Signatures were collected for all required documents.

ADJOURNMENT

MOTION: Mary Jo Walsh moved, seconded by Eric Alvin, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 4:48 p.m.